

BOCC Decision Matrix

Plan Amendment/ Zone Change Land Use File Nos. 247-22-000313-ZC, 314-PA

Plan Amendment/ Zone Change Land Use File Nos. 247-22-000313-ZC, 314-PA					
Issue Area and Approval Criteria	Hearings Officer's Decision	Opponent's Position	Applicant's Position	Staff Comment	Board Determination
<p style="text-align: center;"><u>Goal 3: Part 1</u></p> <p>Does the subject property constitute agricultural land, as defined by OAR 660-033-0020(1)(a)?</p> <p><u>Applicable Criteria</u> Deschutes County Comprehensive Plan Policy 2.2.3, and Statewide Planning Goal 3.</p>	<p>The Hearings Officer found the subject property is not Goal 3 agricultural land under the statewide planning goals (Hearings Officer Decision pgs. 8 & 18).</p>	<p>Oppositional comments assert that there is usable soil in the tract and the potential for non-crop agricultural uses.</p>	<p>The Applicant asserts that the soils are unproductive and it is not feasible to obtain a profit in money due to existing land use patterns and high cost of required inputs such as irrigation systems and fertilizer.</p>	<p>Staff agrees with the Hearings Officer's findings based upon the submitted soils study analysis and the classification of unproductive soil types on the property.</p>	<p>Does the subject property constitute agricultural land under OAR 660-033-0020(1)(a)?</p> <ul style="list-style-type: none"> If no, the Board can continue reviewing the applications, and move to approve the Plan Amendment and Zone Change (PA/ZC). If yes, the Board must deny the PA/ZC.
Issue Area and Approval Criteria	Hearings Officer's Decision	Opponent's Position	Applicant's Position	Staff Comment	Board Determination
<p style="text-align: center;"><u>Goal 3: Part 2</u></p> <p>Whether the soil study provided by the applicant is sufficient to demonstrate the subject property consists of predominantly unproductive soils, or Class VII-VIII.</p> <p><u>Applicable Criteria</u> Deschutes County Comprehensive Plan Policy 2.2.13, and Statewide Planning Goal 3.</p>	<p>The Hearings Officer found the subject property is not Goal 3 agricultural land under the statewide planning goals and acknowledges the submitted soils report (Hearings Officer Decision pgs. 9 & 18).</p>	<p>Oppositional comments assert that an independent soil study is needed.</p>	<p>The Applicant asserts the site-specific soil study was prepared by a certified soil classifier.</p>	<p>Staff agrees with the Applicant and Hearings Officer on the issue area. The Board has previously approved Plan Amendment and Zone Change applications that relied on a property-specific soil study provided by the applicant.</p>	<p>Does the site-specific soil study show the property is predominantly Class VII-VIII soils?</p> <ul style="list-style-type: none"> If yes, the Board can continue reviewing the applications, and move to approve the PA/ZC. If no, the Board may deny the application because the property meets the definition of Goal 3 "agricultural land".

BOCC Decision Matrix

Issue Area and Approval Criteria	Hearings Officer's Decision	Opponent's Position	Applicant's Position	Staff Comment	Board Determination
<p>Proximity to Bend Urban Growth Boundary (UGB), and the impact of the subject Plan Amendment/Zone Change on future UGB expansions.</p> <p><u>Applicable Criteria</u> Statewide Planning Goal 14. Staff notes the criteria of DCC 18.136.020(C)(1) may relate to this specific topic.</p>	<p>The Hearings Officer found Goal 14 does not apply to the subject application.</p> <p>Because future expansion of the Bend UGB was not tied to an applicable approval criteria, the Hearings Officer did not make any substantive findings regarding this topic. (Hearings Officer Decision pg. 20).</p>	<p>Oppositional comments assert that converting EFU-zoned property to MUA10-zoned property in this area is inefficient and unsustainable. Comments raised concerns about the type and density of development that will occur on the subject property.</p>	<p>The Applicant asserts these properties are eligible for future expansion of Bend's Urban Growth Boundary, and conversion would promote an efficient extension of urban services and facilitate future urban development.</p> <p>The applicant asserts Goal 14 is not applicable because the proposal does not involve property within an urban growth boundary and does not involve the urbanization of rural land.</p>	<p>Staff agrees with the Hearings Officer and notes the subject Plan Amendment and Zone Change does not approve any new development on the subject property. Future uses may require separate land use reviews, and will require the developer to obtain all required permits.</p>	<p>Is there an approval criterion which requires the Board to analyze the proximity of the proposed PA/ZC with respect to the UGB and future UGB expansions?</p> <ul style="list-style-type: none"> • If no, the Board can continue reviewing the applications, and move to approve the PA/ZC. • If yes, the Board may identify relevant criteria and make additional findings under those criteria.
Issue Area and Approval Criteria	Hearings Officer's Decision	Opponent's Position	Applicant's Position	Staff Comment	Board Determination
<p>Whether the Plan Amendment and Zone Change allows for affordable housing under the statewide planning system Goal 10.</p> <p><u>Applicable Criteria</u> Goal 10</p>	<p>The Hearings Officer found that the County's Goal 10 analysis allows for farm properties with poor soils to be converted to RR10 or MUA10 to satisfy the need for rural housing. (Hearings Officer Decision pg. 19).</p>	<p>Oppositional comments assert that rezoning the properties to MUA10 and large parcel sizes precludes reasonable pricing for affordable housing.</p>	<p>Rezoning the properties to MUA10 will help meet the need for rural housing. No development is proposed at this time.</p>	<p>Staff agrees with the Hearings Officer and notes the subject Plan Amendment and Zone Change does not approve any new development on the subject property. Future uses may require a separate land use review, and will require the developer to obtain all required permits.</p>	<p>Is there an approval criterion which requires the Board to analyze housing affordability for the subject Plan Amendment and Zone Change?</p> <ul style="list-style-type: none"> • If no, the Board can continue reviewing the applications, and move to approve the PA/ZC. • If yes, the Board may identify relevant criteria and make additional findings under those criteria.